

STEVE W. BERMAN (*pro hac vice*)
HAGENS BERMAN SOBOL SHAPIRO LLP
1918 Eighth Avenue, Suite 3300
Seattle, WA 98101
Telephone: (206) 623-7292
Facsimile: (206) 623-0594
E-mail: steve@hbsslaw.com

ELAINE T. BYSZEWSKI (SBN 222304)
LEE M. GORDON (SBN 174168)
HAGENS BERMAN SOBOL SHAPIRO LLP
301 North Lake Avenue, Suite 203
Pasadena, CA 91101
Telephone: (213) 330-7150
Facsimile: (213) 330-7152
E-mail: elaine@hbsslaw.com

-and-

UREKA E. IDSTROM (*pro hac vice*)
THE EUREKA LAW FIRM
5606 Belinder Road
Fairway, KS 66205
Telephone: (816) 665-3515
E-mail: uidstrom@eurekalawfirm.com

Attorneys for Plaintiff and the Proposed Class

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ERIN ALLEN, on behalf of herself and all
others similarly situated,

Plaintiff,

vs.

CONAGRA FOODS INC., a Delaware
corporation,
Defendant.

Case Number: 3:13-CV-01279-VC

STIPULATION AND ~~[PROPOSED]~~
SCHEDULING ORDER

Plaintiff Erin Allen (“Plaintiff”), and Defendant ConAgra Foods, Inc. (“Defendant”) hereby stipulate and agree as follows:

WHEREAS, on January 3, 2014, the Court entered an Order setting the class certification briefing schedule and other case dates initially proposed by the parties;

WHEREAS, on March 4, 2014, the Court entered a Stipulated Order Re: ESI protocol, which governs the ESI discovery protocol in this case;

WHEREAS, the parties have been diligently engaged in the ESI discovery process;

WHEREAS, Defendant has encountered technical difficulties in compiling and producing some of the ESI in response to Plaintiff’s discovery requests;

WHEREAS, Plaintiff also sought to depose Defendant and Defendant’s employees in or by May 2014, but relevant personnel were not reasonably available until June 2014; and

WHEREAS, the parties have met and conferred with each other regarding the foregoing scheduling issues, and in the interests of judicial economy, the parties seek entry of a Scheduling Order that continues and adjusts the current class certification briefing schedule and other case dates by six (6) weeks (with the certification hearing adjusted back an additional week in light of the Thanksgiving holiday).

NOW, THEREFORE, Plaintiff and Defendant agree and respectfully request that the Court continue and adjust the current case schedule as proposed below:

Event	Proposed Date
Motion for Class Certification due	August 11, 2014
Response to Class Certification	October 10, 2014
Reply to Class Certification	November 3, 2014
Hearing on Class Certification	December 4, 2014 at 1:30 p.m.
Close of Fact Discovery	March 30, 2015
Expert Disclosures due	April 27, 2015

Rebuttal Expert Disclosures due	May 27, 2015
Close of Expert Discovery	June 26, 2015
Dispositive Motions due	July 3, 2015

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

Respectfully submitted,

DATED: May 1, 2014

HAGENS BERMAN SOBOL SHAPIRO LLP

By: /s/ Lee M. Gordon

Lee M. Gordon (SBN 174168)

Elaine T. Byszewski (SBN 222304)
301 North Lake Avenue, Suite 203
Pasadena, CA 91101
Telephone: (213) 330-7150
elaine@hbsslaw.com
lee@hbsslaw.com

Steve W. Berman (*pro hac vice*)
HAGENS BERMAN SOBOL SHAPIRO LLP
1918 Eighth Avenue, Suite 3300
Seattle, WA 98101
Telephone: (206) 623-7292
steve@hbsslaw.com

Ureka E. Idstrom, (*pro hac vice*)
THE EUREKA LAW FIRM
5606 Belinder Road
Fairway, KS 66205
Telephone: (816) 665-3515
uidstrom@eurekalawfirm.com

Attorneys for Plaintiff and the Proposed Class

1 DATED: May 1, 2014

MCGRATH NORTH MULLIN & KRATZ, PC LLO

3 By: /s/ Patrick E. Brookhouser

4 Patrick E. Brookhouser, Jr. (*Pro Hac Vice*)

5 First National Tower, Suite 3700
6 1601 Dodge Street
7 Omaha, NE 68102
8 Telephone: (402) 341-3070
9 Facsimile: (402) 341-0216
10 pbrookhouser@mcgrathnorth.com

11 Robert B. Hawk (SBN 118054)
12 HOGAN LOVELLS US LLP
13 4085 Campbell Avenue
14 Suite 100
15 Menlo Park, CA 94025
16 Telephone: (650) 463-4008
17 Facsimile: (650) 463-4199
18 robert.hawk@hoganlovells.com
19 stacy.hovan@hoganlovells.com

20 *Attorneys for Defendant ConAgra Foods, Inc.*

21 **Attestation of Filing**

22 I, Lee M. Gordon, attest that concurrence in the filing of this document has been obtained
23 from each of the other signatories.

24 By: /s/ Lee M. Gordon

25 Lee M. Gordon (SBN 174168)

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: May 2, 2014



HONORABLE VINCE CHHABRIA
UNITED STATES DISTRICT COURT JUDGE